

DOWD, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Rose Wilcher,)	
)	CASE NO. 5:05CV866
Plaintiff(s),)	
)	
v.)	JUDGMENT ENTRY
)	
City of Akron, et al.,)	
)	
Defendant(s).)	
)	

For the reasons set forth in the Memorandum Opinion filed contemporaneously with this Judgment Entry, IT IS HEREBY ORDERED, ADJUDGED and DECREED that Defendants City of Akron and Mayor Donald Plusquellic's Motion to Dismiss (Doc. No. 52) is granted as to Counts One and Two of the Amended Complaint. Further, Count Three, as a pendent state action, is dismissed without prejudice pursuant to 28 U.S.C. 1367(c)(3). The Court's previous Judgment Entry (Docket No. 50) is hereby amended to also dismiss without prejudice as a pendent state action Count Three of the Amended Complaint as to Defendant Time Warner. Each party to bear its own costs. Case closed.

IT IS SO ORDERED.

May 9, 2006
Date

/s/ David D. Dowd, Jr.
David D. Dowd, Jr.
U.S. District Judge